

REMARKS:

Status of claims and amendments

Claims 1-11 are pending in the application; claims 4, 5, 7, and 11 have been withdrawn. In the Office Action dated June 29, 2006, the Examiner:

1. objected to the drawings for not showing every feature specified in the claims;
2. objected to the specification for not providing antecedent basis for the claims;
3. rejected claim 6 under 35 U.S.C. 112, second paragraph, as being indefinite;
4. rejected claims 1, 2, 6, 8, and 9 under 35 U.S.C. 102(b) as being anticipated by Mitsuaki;
5. rejected claims 8 and 10 under 35 U.S.C. 102(b) as being anticipated by Rezanka et al; and
6. rejected claims 3 and 10 under 35 U.S.C. 103(a) as being unpatentable over Mitsuaki.

In this amendment, claims 1 and 8 were amended to recite that the rear strut assembly is mounted in the guide hole. Support for this amendment can be found in paragraph 17, lines 1-2, and Figure 4. Claim 6 was amended for further clarity. No new matter is added.

1. The drawing objection

Claim 6 recites that the welding nut, not the bolt hole, is T-shaped. An exemplary embodiment of this feature is shown in the drawings at Figures 3 and 4, reference numeral 54.

2. The objection to the specification

Claim 6 recites that the welding nut, not the bolt hole, is T-shaped. The specification provides antecedent basis for this feature at paragraph 24.

3. The §112 rejection of claim 6

Claim 6 recites that the welding nut, not the bolt hole, is T-shaped. This feature is both shown in the drawings and disclosed in the specification as set forth above.

4. The § 102(b) rejection of claims 1, 2, 6, 8, and 9: Mitsuaki

Independent claims 1 and 8 have been amended to recite that the rear strut assembly is mounted in the guide hole. The Examiner referred to element 37 of Mitsuaki as corresponding to the inventive guide hole. Element 37, however, referring to Figure 2, appears to be a screw or bolt hole attaching rear wheel house inner 1 to belt supporting tool 45. Mitsuaki does not disclose or suggest a wheel housing cover comprising a guide hole, wherein the rear strut assembly is mounted in the guide hole. Claims 1 and 8, as well as their dependents, claims 2-7 and 9-11, are thus patentable over Mitsuaki.

5. The § 102(b) rejection of claims 8 and 10: Rezanka et al

Independent claim 8 has been amended to recite that the wheel housing cover comprises a guide hole and the rear strut assembly is mounted in the guide hole. The upper end of Rezanka's strut 22, however, is closed by a service nut 28 (column 3, lines 2-5), disposed well below mounting bracket 78, referred to by the Examiner as corresponding to the inventive wheel housing cover. See Figure 2. Rezanka therefore does not disclose or suggest said wheel housing cover comprises a guide hole, wherein the rear strut assembly is mounted in the guide hole. Claim 8, as well as its dependent, claim 10, is thus patentable over Rezanka.

6. The §103(a) rejection of claims 3 and 10: Mitsuaki

This rejection is rendered moot in view of the patentability of independent claims 1 and 8, as set forth above, from which claims 3 and 10 depend.

Conclusions

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance is respectfully requested.

Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter, or credit any overpayment, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0119).

Respectfully submitted,



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